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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/838,170	04/20/2001	Shigemi Kurashima	1614.1162	9034

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EXAMINER

NGUYEN, KIMNHUNG T

ART UNIT PAPER NUMBER

2674

DATE MAILED: 12/31/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/838,170

Applicant(s)

KURASHIMA ET AL.

Examiner

Kimnhung Nguyen

Art Unit

2674

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: .

DETAILED ACTION

This application has been examined. The original claims 1-27 are pending. The examination results are as following.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 12, 14-15, 24 and 26-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Shah et al. (US patent 6,359,610).

Shah et al. disclose in figure I that an input device (11: mouse or trackball, or equivalent...) comprising information generation part which generates input information based on a given input operation; a transmission part (14) which transmits a signal generated by having a carrier frequency modulated with the input information (see column 6, lines 40-45); and a plurality of wave direction parts (by antennas 14 and 18) which are provided close to the transmission part directivity (see figure 1). The transmission part comprises a plurality of transmission circuits (see column 4, lines 54-66).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

Art Unit: 2674

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-7, 11, 13, 16-21 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shah et al. (US patent 6,359,610) in view of Berstis (US pent 6,229,526).

Shah et al. disclose in figure 1 that an input system comprising an information generation part which generates input information based on a given input operation; a transmission part which transmits signals generated by having a plurality of carrier frequencies modulated with the input information (see column 6, lines 40-45); a reception part (18) which receives the transmitted signals and demodulates the signals into the input information (see column 4, lines 49-57); and a plurality of wave direction parts (by antennas 14 and 18) which are provided close to the transmission part directivity (see figure 1). The transmission part comprises a plurality of transmission circuits (see column 4, lines 54-66). However, Shah et al. do not disclose that the transmission part which transmits signals generated by a plurality of different carrier frequencies modulated with the input information, and a switching part. Berstis discloses in figures that the transmission part pointing devices (101, 103) having different carrier frequencies (see column 4, lines 42-46), and a switching part (318, 320, 322, 324 from the transmission pointing devices (101, 103). It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teachings of Berstis in the system of Shah et al. with different carrier frequencies and transmission part by switching because this would prevent the control devices from interfering with each other, and produce digital information.

Art Unit: 2674

5. Claims 8-10 and 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shah et al. (US patent 6,359,610) in view of Berstis (US patent 6,229,526) and in view of Tseng et al. (US patent 6,411,279).

Shah et al. and Berstis disclose every feature of the claimed invention, excluding a conductive plate member or and a conductive part in the input device. Tseng et al. disclose that a conductive zone (12) in the mouse, that is also conductive plate or conductive part in the input device of mouse (see column 2, lines 26-30). It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teachings of Tseng et al. including the conductive plate member or conductive part in the system of Shah et al. and Berstis because this would provide be made of insulative material on which conductive traces are formed.

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimnhung Nguyen whose telephone number (703) 308-0425.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **RICHARD A HJERPE** can be reached on **(703) 305-4709**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D. C. 20231

Or faxed to:


Art Unit: 2674

(703) 872-9314 (for Technology Center 2600 only).

Hand-delivery response should be brought to: Crystal Park II, 2121 Crystal Drive,
Arlington, VA Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the Technology Center 2600 Customer Service Office whose telephone
number is (703) 306-0377.

Kimnhung Nguyen
December 24, 2002



RICHARD HJERPE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600